



CLERK'S OFFICE U.S. DIST. COURT
 AT ROANOKE, VA
 FILED
for Charlottesville
 MAY 26 2010
 JOHN J. CORCORAN, CLERK
 BY: *[Signature]*
 DEPUTY CLERK

UNITED STATES DISTRICT COURT FOR THE
 WESTERN DISTRICT OF VIRGINIA

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

JOHN M. DONNELLY, TOWER ANALYSIS, INC.,
 NASCO TANG CORP., and NADIA CAPITAL
 CORP.,

Civil Action No. 3:09CV0015

Defendants, and

BLUE LOGIC OPERATING
 PARTNERS LP, NADIA CAPITAL OPERATING
 PARTNERS LP, and DEBORAH B. DONNELLY,

Relief Defendants.

**FINAL JUDGMENT AS TO DEFENDANTS
 JOHN M. DONNELLY, TOWER ANALYSIS, INC.,
 NASCO TANG CORP., AND NADIA CAPITAL CORP. AND RELIEF DEFENDANTS
 BLUE LOGIC OPERATING PARTNERS LP AND
 NADIA CAPITAL OPERATING PARTNERS LP**

The Securities and Exchange Commission (the "Commission") having filed a Complaint and Defendants John M. Donnelly, Tower Analysis, Inc., Nasco Tang Corp, and Nadia Capital Corp. ("Defendants") and Relief Defendants Blue Logic Operating Partners LP and Nadia Capital Operating Partners LP ("Entity Relief Defendants"), having entered general appearances; consented to the Court's jurisdiction over Defendants and Entity Relief Defendants and the subject matter of this action; consented to entry of this Final Judgment without admitting or denying the allegations of the Complaint (except as to jurisdiction); waived findings of fact and conclusions of law; and waived any right to appeal from this Judgment:

JMD

I.

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Defendants and Defendants' agents, servants, employees, attorneys, and all persons in active concert or participation with them who receive actual notice of this Final Judgment by personal service or otherwise are permanently restrained and enjoined from violating, directly or indirectly, Section 10(b) of the Securities Exchange Act of 1934 (the "Exchange Act") [15 U.S.C. § 78j(b)] and Rule 10b-5 promulgated thereunder [17 C.F.R. § 240.10b-5], by using any means or instrumentality of interstate commerce, or of the mails, or of any facility of any national securities exchange, in connection with the purchase or sale of any security:

- (a) to employ any device, scheme, or artifice to defraud;
- (b) to make any untrue statement of a material fact or to omit to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading; or
- (c) to engage in any act, practice, or course of business which operates or would operate as a fraud or deceit upon any person.

II.

IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that Defendants and Defendants' agents, servants, employees, attorneys, and all persons in active concert or participation with them who receive actual notice of this Final Judgment by personal service or otherwise are permanently restrained and enjoined from violating Section 17(a) of the Securities Act of 1933 (the "Securities Act") [15 U.S.C. § 77q(a)] in the offer or sale of any security by the use of any means or instruments of transportation or communication in interstate commerce or by use of the mails, directly or indirectly:

- (a) to employ any device, scheme, or artifice to defraud;
- (b) to obtain money or property by means of any untrue statement of a material fact or any omission of a material fact necessary in order to make the statements made, in light of the circumstances under which they were made, not misleading;
or
- (c) to engage in any transaction, practice, or course of business which operates or would operate as a fraud or deceit upon the purchaser.

III.

IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that Defendants and Entity Relief Defendants are jointly and severally liable for disgorgement of \$3,838,790, representing profits gained as a result of the conduct alleged in the Complaint, together with prejudgment interest thereon in the amount of \$90,213, for a total of \$3,929,003. In view of Defendant Donnelly's agreement to pay \$5,311,038 in criminal restitution in conjunction with his guilty plea in *United States v. John Mark Donnelly*, 3:09-CR-00015 (W.D. Va.), which concerns the same conduct that is alleged in the Commission's Complaint, the disgorgement and prejudgment interest obligations of Defendants and Entity Relief Defendants shall be deemed satisfied upon entry of an order requiring Defendant Donnelly to pay restitution in an amount equal to or more than \$3,929,003 in *United States v. John Mark Donnelly*, 3:09-CR-00015 (W.D. Va.) (the "Restitution Order"). In connection with his guilty plea in *United States v. John Mark Donnelly*, 3:09-CR-00015 (W.D. Va.), Defendant Donnelly has executed an Agreed Final Order of Execution and Agreed Final Orders of Garnishment concerning the property and assets identified in Addendum A, attached hereto. Relief Defendant Deborah B. Donnelly shall sell the property located at 1520 Church Plains Drive, Charlottesville, VA 22903

(the "Church Plains Property") no later than August 30, 2010, and proceeds from the sale of the Church Plains Property shall be distributed pursuant to the terms set forth in a separate Final Judgment as to Relief Defendant Deborah B. Donnelly. Defendant Donnelly shall execute all legal documents necessary to complete the sale of the Church Plains Property and distribute the proceeds from the sale pursuant to the terms set forth in the Final Judgment as to Relief Defendant Deborah B. Donnelly. Defendant Donnelly explicitly waives all legal and equitable right and interest to receive any portion of the proceeds from the sale of the Church Plains Property.

IV.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, within 14 days of entry of this Order, any financial or brokerage institution holding funds or assets in the name of the Defendants and/or Entity Relief Defendants shall transfer such funds or assets to the Clerk of Court for the United States District Court for the Western District of Virginia, to be applied to the Restitution Order in *United States v. John Mark Donnelly*, 3:09-CR-00015 (W.D. Va.).

V.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Consent of Defendants and Entity Relief Defendants is incorporated herein with the same force and effect as if fully set forth herein, and that Defendants and Entity Relief Defendants shall comply with all of the undertakings and agreements set forth therein.

VI.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that this Court shall retain jurisdiction over this action for all purposes, including implementing and enforcing the terms of

this Final Judgment and all other orders and decrees which have been or may be entered in this case, and granting such other relief as the Court may deem necessary and just.

VII.

There being no just reason for delay, the Clerk of the Court is hereby directed, pursuant to Rule 54(b) of the Federal Rules of Civil Procedure, to enter this Final Judgment.

May 24, 2010

Dated:

s/ Glen E. Conrad
HON. GLEN E. CONRAD, U.S.D.J.



ADDENDUM A

**Assets Subject to Agreed Final Order of Execution and Agreed Final Orders in
Garnishment in
United States v. John Mark Donnelly, 3:09-CR-00015 (W.D. Va.)**

Real Property

All that certain tract or parcel of land, with all improvements thereon and all appurtenances thereunto belonging, lying and being in the Columbia District, Fluvanna County, Virginia, fronting on the northwesterly side of State Route 601, containing 64.88 acres, more or less, which is the residue of 72.06 acres shown on a plat of survey by Leonard I. Smith, Surveyor, dated May 11, 1962, recorded in the Clerk's Office of Fluvanna County, Virginia, in Deed Book 63, Page 107, after the conveyance therefrom of 7.18 acres by deed dated February 11, 1980, recorded in said Clerk's Office in Deed Book 138, Page 622, AND BEING the residue of same land conveyed to the Grantor from C.S. Winston and Thelma D. Winston, husband and wife, by deed dated December 2, 1971, recorded in said Clerk's Office on November 21, 1974, in Deed Book 107, Page 196. TMS 23-(A)-67.

And being the same property acquired by virtue of a Deed dated August 7, 2002, and recorded on August 21, 2002, in Deed Book 480, at page 516, among the aforesaid land records.

More commonly known as: 64.88 Acres, Columbia District of Fluvanna County, Virginia 22963.

Brokerage and Financial Accounts

Rosenthal Collins Group, LLC – all funds currently held in accounts controlled by John Mark Donnelly

Bank of America – all funds currently held in accounts controlled by John Mark Donnelly d/b/a Nadia Capital Corp.

Wachovia Bank – all funds currently held in accounts controlled by Tower Analysis, Inc. or John Mark Donnelly

Vehicles

1997 Ford Van/ VIN: 1FBHE32F4VHA11539

2003 Hummer/ VIN: 5BRGN23U13H105127

2006 Dodge Pickup/ VIN: 3D3HA16H66G257050

2002 BMW GS1150/ VIN: WB10492A72ZH30291

1998 Ducati 916/ VIN: ZDM1SBS8WB012415

2008 Ducati 1100/ VIN: ZDM1YACP38B00977

1996 KTM 620/ VIN: VBKRXL403TM706700

1999 Ducati 748/ VIN: ZDM1SB3R4XB010912

2002 KTM 525 SMC/ VIN: VBKMXM4323M537778

2005 Honda 450/ VIN: JH2PE05395M302140

2006 Yamaha 125/ VIN: 9C6CE12YX60617155

2006 Yamaha 125/ VIN: 9C6CE12Y360617563

1998 Honda XR200/ VIN: JH2ME0508YK401878

2003 Honda XR230/ VIN: 9C2ME09093R001521

Avenger 20 ft. trailer/ VIN: 4T6UB2029XM009409

Hazelwood 22 ft. trailer/ VIN: 1H9FS1315Y0092089

Other Assets

Promissory Notes issued to John M. Donnelly by Fisher Technical Services Rentals, Inc. dated December 13, 2004, May 8, 2006, September 12, 2006, and November 20, 2006.